

**76-5-301 Kidnapping.**

- (1) An actor commits kidnapping if the actor intentionally or knowingly, without authority of law, and against the will of the victim:
  - (a) detains or restrains the victim for any substantial period of time;
  - (b) detains or restrains the victim in circumstances exposing the victim to risk of bodily injury;
  - (c) holds the victim in involuntary servitude;
  - (d) detains or restrains a minor without the consent of the minor's parent or legal guardian or the consent of a person acting in loco parentis, if the minor is 14 years of age or older but younger than 18 years of age; or
  - (e) moves the victim any substantial distance or across a state line.
- (2) As used in this section, acting "against the will of the victim" includes acting without the consent of the legal guardian or custodian of a victim who is a mentally incompetent person.
- (3) Kidnapping is a second degree felony.

Amended by Chapter 301, 2001 General Session